

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 11, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners Absent: Bernie Heier, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 4, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>).

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated February 4, 2003. Schorr, Hudkins and Workman voted aye. Stevens abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

- A. The 2002 Honorable Mention Winners for the Annual Commissioners Award of Excellence were presented to Steve Fish and Deb VanLent, Mental Health Specialists at the Community Mental Health Center.
- B. The 2002 Annual Commissioners Award of Excellence was presented to Paula Garza, Veterans Service Specialist with Veterans Services.

2) **SPECIAL PRESENTATIONS CONTINUED:**

C. An exceptional circumstance award, in the amount of \$300, for Majda Dedakovic, an employee at Lancaster Manor.

MOTION: Schorr moved and Hudkins seconded approval of a one time cash award, in the amount of \$300, for Majda Dedakovic, an employee at Lancaster Manor. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS: Approval of all claims processed through Tuesday, February 11, 2003.**

MOTION: Hudkins moved and Schorr seconded approval of all claims processed through February 11, 2003. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

5) **OLD BUSINESS:**

A. A contract with the Board of Regents, University of Nebraska, University of Nebraska Public Policy Center for the implementation of a human services needs assessment and comprehensive plan. The County shall pay up to \$105,000. The term of the agreement is July 1, 2002 to June 30, 2003. (C-02-0565)

This item was held at the request of the County Attorney's Office.

B. An amendment to an agreement with Cole Layer Trumble for support and maintenance of the OASIS software. The amendment adds additional language regarding liability. (C-03-0049)

MOTION: Hudkins moved and Workman seconded approval of an amendment to an agreement with Cole Layer Trumble for support and maintenance of the OASIS software. The amendment adds additional language regarding liability. Schorr, Stevens, Workman and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. An agreement with the Nebraska Commission on Law Enforcement and Criminal Justice for modification and installation of the records management system at the Juvenile Detention Center to increase access to detention and release data for victim notification. The State shall pay the County \$3,600 for the modification to the County system. (C-03-0050)**

This item was held at the request of the County Attorney's Office.

- B. A utility relocation agreement with the Norris Public Power District of Beatrice for adjustment of the facilities of the District because of the widened right-of-way which the County has required for Project C55-Q-407(1) on Old Cheney Road from South 112th Street to South 148th Street. The County shall pay \$76,304.64 for the relocation and the cost to the County shall not exceed \$95,000 without further authorization from the County Board. (C-03-0051)**

MOTION: Workman moved and Schorr seconded approval of a utility relocation agreement with the Norris Public Power District of Beatrice for adjustment of the facilities of the District because of the widened right-of-way which the County has required for Project C55-Q-407(1) on Old Cheney Road from South 112th Street to South 148th Street. The County shall pay \$76,304.64 for the relocation and the cost to the County shall not exceed \$95,000 without further authorization from the County Board. Schorr, Stevens, Workman and Hudkins voted aye. Motion carried.

- C. An agreement with Centers for Medicare and Medicaid Services (CMS) through Blue Cross and Blue Shield of Nebraska as a CMS contracted intermediary for electronic data exchange. The agreement is required in order to maintain the County fiscal intermediary file and ensure the security of all Medicare systems. The agreement provides guidelines and requirements for the submission of Medicare claims electronically. (C-03-0054)**

MOTION: Hudkins moved and Schorr seconded approval of an agreement with Centers for Medicare and Medicaid Services (CMS) through Blue Cross and Blue Shield of Nebraska as a CMS contracted intermediary for electronic data exchange. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- D. An amendment to an agreement with the Lancaster Rural Water District Number 1 for relocation of its facilities as they relate to Project C55-QR-408(1) on South 120th Street from Bennet Road to Highway 2. The original agreement was executed by the County on December 17, 2002. The amendment changes the County's contribution from \$45,150 to \$84,890 and the overall contract amount from \$52,150 to \$104,650. The amendment also replaces Exhibit C with a new Exhibit C which contains a further breakdown of costs. (C-03-0052)**

Don Thomas, County Engineer, stated that the water line on South 120th Street would be relocated for the project, however, it was discovered, after an estimate was prepared, that there is also an eight-inch line running through the intersection which must be relocated at an additional cost.

In response to a question asked by Schorr, Thomas explained that he would have to budget for the difference.

MOTION: Workman moved and Schorr seconded approval of an amendment to an agreement with the Lancaster Rural Water District Number 1 for relocation of its facilities as they relate to Project C55-QR-408(1) on South 120th Street from Bennet Road to Highway 2. The amendment changes the County's contribution from \$45,150 to \$84,890 and the overall contract amount from \$52,150 to \$104,650. The amendment also replaces Exhibit C with a new Exhibit C which contains a further breakdown of costs. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried.

- E. A political subdivision tort claim filed by Carl Vermaas for lost wages, in the amount of \$108, at the Lancaster County Corrections Department.**

MOTION: Hudkins moved and Workman seconded to accept the Director's recommendation and deny the political subdivision tort claim filed by Carl Vermaas for lost wages, in the amount of \$108, at the Lancaster County Corrections Department. Schorr, Stevens, Workman and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

F. A refund request of personal property taxes for 2000 from Teri Ernisse d/b/a The Town Cobbler, in the approximate amount of \$414.73.

MOTION: Workman moved and Hudkins seconded approval of a refund request of personal property taxes for 2000 from Teri Ernisse d/b/a The Town Cobbler, in the approximate amount of \$414.73. Hudkins, Schorr, Stevens and Workman voted aye. Motion carried.

G. Request from the Personnel Policy Board to change the pay grade for Investigator from a current pay grade of \$32,368.96 to \$42,219.84 (E20) to a proposed pay grade of \$35,299.68 to \$46,209.28 (E22).

MOTION: Schorr moved and Hudkins seconded approval of a request from the Personnel Policy Board to change the pay grade for Investigator from a current pay grade of \$32,368.96 to \$42,219.84 (E20) to a proposed pay grade of \$35,299.68 to \$46,209.28 (E22). Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

H. Appointment of Mike Reddish to the Youth Services Center Advisory Committee for a two year term beginning January, 2003.

MOTION: Hudkins moved and Workman seconded approval of an appointment of Mike Reddish to the Youth Services Center Advisory Committee for a two year term beginning January, 2003. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

- 1. County Clerk's Monthly Report for January, 2003.**
- 2. Lancaster Manor's Monthly Report.**
- 3. Records and Information Management's Monthly Report for January, 2003.**

7) CONSENT ITEMS CONTINUED:

B. Setting of a public hearing for Tuesday, February 25, 2003 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for the adoption of a resolution which regulates body art establishments for the public health, safety and welfare of the citizens of Lancaster County, Nebraska.

C. A right-of-way contract relating to road improvement between the Lancaster County Engineering Department and Chad and Kelsey Trapeur on North 176th Street (Greenwood Road to Davey Road). This a donation. (C-03-0053)

MOTION: Workman moved and Schorr seconded approval of the Consent Items. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

8) EMERGENCY ITEMS:

Kerry Eagan, Chief Administrative Officer, appeared and requested that the Board add, as an emergency item, Legislative Bills 413, 710, 724, 104 and 314. He explained hearings would be held before the respective committees on February 12, 2003 and recommended that the Board give direction to County officials and their lobbyist regarding possible testimony.

MOTION: Workman moved and Hudkins seconded to add as an emergency item discussion regarding Legislative Bills 413, 710, 724, 104 and 314. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

Eagan stated Legislative Bill (LB) 413 reduces the number of mental health and developmental disability regions from six to three. He explained there are currently 16 members on the Region V Board. The new concept, Eagan said, would increase the number of members from 16 to 19 and would include Douglas and Sarpy counties. Eagan stated Douglas County, being a very large county, could possibly drain resources away from Lancaster County. Kit Boesch, Human Services Director, Dave Merrill, Executive Director of Region V, and Dean Settle, Executive Director of the Community Mental Health Center, have expressed concerns regarding the legislation.

Settle expressed his concern regarding the possibility of resources being drained away from the County and the loss of local control. He also stated there would be inefficiencies reintroduced because of his absence at the Mental Health Center.

8) **EMERGENCY ITEMS CONTINUED:**

Settle also addressed LB 710 which would reformat and update commitment laws in Nebraska and LB 724 which would revise behavioral health and substance abuse services. He suggested that a "wait and see" approach be taken on both LB's.

MOTION: Hudkins moved and Workman seconded to authorize Kit Boesch, Human Services Director, and Dean Settle, Executive Director of the Community Mental Health Center, to oppose and provide testimony regarding Legislative Bill 413. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

Eagan addressed LB 104 regarding innocent parties being injured during police pursuits. He stated Sheriff Terry Wagner has testified in the past regarding the bill and that he would contact him to ensure that there is representation from law enforcement at the Judiciary Committee hearing.

LB 314, Eagan stated, would provide for "an exception to the limitations periods under the Act for situations in which a political subdivision that is required to file a trade name registration has not made the filing. In such situations, if the entity operating under a trade name has not registered with the Secretary of State and causes an injury, then the limitations period begins when the entity files such registration." He stated Nebraska Intergovernmental Risk Management Association (NIRMA) is opposing the legislation and Nebraska Association of County Officials (NACO) is taking a "wait and see" approach.

9) **ADJOURNMENT:**

MOTION: Hudkins moved and Schorr seconded adjournment of the Board of Commissioners meeting at 2:15 p.m. Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 11, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins
Deb Schorr
Bob Workman

Commissioners Absent: Bernie Heier, Chair

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:15 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 4, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Workman moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated February 4, 2003. Schorr, Hudkins and Workman voted aye. Stevens abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

There being no public comment the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 137 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Hudkins moved and Schorr seconded approval of the additions and deductions to the tax assessment rolls. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Catholic Social Services
Cedars Youth Services
Community Blood Bank of Lancaster County Medical Society
Our Lady of Guadalupe Seminary, a division of The Priestly Fraternity of
St. Peter
Sacred Heart Church

MOTION: Workman moved and Schorr seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

5) **SETTING OF PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:**

Setting of a public hearing for Tuesday, March 4, 2003 immediately following the regular meeting of the Board of Commissioners, in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for Lincoln Mobile Home Service.

MOTION: Workman moved and Hudkins seconded approval of setting a public hearing for Tuesday, March 4, 2003 immediately following the regular meeting of the Board of Commissioners, in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for Lincoln Mobile Home Service. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded adjournment of the Board of Equalization meeting at 2:18 p.m. Stevens, Workman, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk